

Jason M. Tangeman, WSB No. 6-3082  
 NICHOLAS & TANGEMAN, LLC  
 P.O. Box 928; 170 N. 5<sup>th</sup> St.  
 Laramie, WY 82073  
 (307) 742-7140  
[jtangeman@wyolegal.com](mailto:jtangeman@wyolegal.com)  
 Attorneys for Defendant

IN THE UNITED STATES DISTRICT COURT  
 FOR THE DISTRICT OF WYOMING

RIA R SQUARED, INC.,	)	Case No. 21-CV-125-S
a Delaware corporation	)	
	)	
<i>Plaintiff,</i>	)	
	)	
v.	)	
	)	
PAUL D. MCCOWN, and	)	
MCCOWN ENTERPRISES, LLC,	)	
	)	
<i>Defendants.</i>	)	

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**DEFENDANTS’ ANSWERS AND AFFIRMATIVE DEFENSES TO COMPLAINT**

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Defendant, Paul D. McCown and McCown Enterprises, LLC, hereby submit their answers and affirmative defenses to Plaintiff Ria R Squared, Inc., a Delaware Corporation, *Complaint and Request for Immediate Injunctive Relief* filed on June 22, 2021, answering as follows:

As to the majority of paragraphs of the Complaint as referenced below Defendants assert the privilege against self-incrimination as provided by the Fifth Amendment of the United States Constitution and Art 1, Sec. 11 of the Wyoming Constitution, and its interpretative case law. Defendant McCown is currently under a criminal investigation by the United States Attorney’s Office for the District of Wyoming and is a “target” of said

investigation. Therefore, Defendants' assertion of privilege is substantively valid. Defendants have not waived the privilege.

Further, Plaintiff's Claim III "Piercing the Corporate Veil" attempts to remove the protection of the corporate veil and impute personal liability to Mr. McCown. As such, assertion of the privilege as to Defendant McCown Enterprises, LLC is proper and lawful at this time.

Failure to timely assert a Fifth Amendment privilege in a civil matter may act as a waiver. As such, assertion of said privilege in response to a civil Complaint is timely and proper. That being said, assertion of a Fifth Amendment privilege against incrimination is not an admission of wrongdoing as a matter of law and therefore relevant allegations referenced with specificity below are denied at this time. Defendants reserve the right to amend this Answer pending outcome of the criminal investigation and potential, formal criminal proceedings.

### **NATURE OF THE ACTION**

1. As to paragraph No. 1 of the Complaint Defendants assert the privilege against self-incrimination as provided by the Fifth Amendment of the United States Constitution and Art 1, Sec. 10 of the Wyoming Constitution and its interpretative case law and therefore deny the same.

2. As to paragraph No. 2 of the Complaint Defendants assert the privilege against self-incrimination as provided by the Fifth Amendment of the United States Constitution and Art 1, Sec. 10 of the Wyoming Constitution and its interpretative case law and therefore deny the same.

3. As to paragraph No. 3 of the Complaint Defendants assert the privilege against self-incrimination as provided by the Fifth Amendment of the United States Constitution and Art 1, Sec. 10 of the Wyoming Constitution and its interpretative case law and therefore deny the same.

4. As to paragraph No. 4 of the Complaint Defendants assert the privilege against self-incrimination as provided by the Fifth Amendment of the United States Constitution and Art 1, Sec. 10 of the Wyoming Constitution and its interpretative case law and therefore deny the same.

### **THE PARTIES**

5. Defendants admit the allegations in paragraph No. 5 of the Complaint.

6. Defendants admit the allegations in paragraph No. 6 of the Complaint.

7. Defendants admit McCown Enterprises, LLC is a registered Wyoming Limited Liability Company. Defendants deny all remaining allegations in paragraph No. 7 of the Complaint.

### **JURISDICTION AND VENUE**

8. Defendants admit the allegations in paragraph No. 8 of the Complaint.

9. Defendants admit the allegations in paragraph No. 9 of the Complaint.

10. Defendants admits/ denies the allegations in paragraph No. 10 of the Complaint.

11. Defendants admit Venue is proper but assert the privilege against self-incrimination as provided by the Fifth Amendment of the United States Constitution and

Art 1, Sec. 10 of the Wyoming Constitution and its interpretative case law and therefore deny the remaining allegations of paragraph No. 11

### **BACKGROUND**

12. Defendants are without sufficient information to admit or deny the allegations in paragraph No. 12 of the Complaint and therefore deny the same.

13. As to paragraph No. 13 of the Complaint Defendants assert the privilege against self-incrimination as provided by the Fifth Amendment of the United States Constitution and Art 1, Sec. 10 of the Wyoming Constitution and its interpretative case law and therefore deny the same.

14. As to paragraph No. 14 of the Complaint Defendants assert the privilege against self-incrimination as provided by the Fifth Amendment of the United States Constitution and Art 1, Sec. 10 of the Wyoming Constitution and its interpretative case law and therefore deny the same.

15. As to paragraph No. 15 of the Complaint Defendants assert the privilege against self-incrimination as provided by the Fifth Amendment of the United States Constitution and Art 1, Sec. 10 of the Wyoming Constitution and its interpretative case law and therefore deny the same.

16. As to paragraph No. 16 of the Complaint Defendants assert the privilege against self-incrimination as provided by the Fifth Amendment of the United States Constitution and Art 1, Sec. 10 of the Wyoming Constitution and its interpretative case law and therefore deny the same.

17. As to paragraph No. 17 of the Complaint Defendants assert the privilege

against self-incrimination as provided by the Fifth Amendment of the United States Constitution and Art 1, Sec. 10 of the Wyoming Constitution and its interpretative case law and therefore deny the same.

18. As to paragraph No. 18 of the Complaint Defendants assert the privilege against self-incrimination as provided by the Fifth Amendment of the United States Constitution and Art 1, Sec. 10 of the Wyoming Constitution and its interpretative case law and therefore deny the same.

19. As to paragraph No. 19 of the Complaint Defendants assert the privilege against self-incrimination as provided by the Fifth Amendment of the United States Constitution and Art 1, Sec. 10 of the Wyoming Constitution and its interpretative case law and therefore deny the same.

20. As to paragraph No. 20 of the Complaint Defendants assert the privilege against self-incrimination as provided by the Fifth Amendment of the United States Constitution and Art 1, Sec. 10 of the Wyoming Constitution and its interpretative case law and therefore deny the same.

21. As to paragraph No. 21 of the Complaint Defendants assert the privilege against self-incrimination as provided by the Fifth Amendment of the United States Constitution and Art 1, Sec. 10 of the Wyoming Constitution and its interpretative case law and therefore deny the same.

22. As to paragraph No. 22 of the Complaint Defendants assert the privilege against self-incrimination as provided by the Fifth Amendment of the United States Constitution and Art 1, Sec. 10 of the Wyoming Constitution and its interpretative case law

and therefore deny the same.

23. As to paragraph No. 23 of the Complaint Defendants assert the privilege against self-incrimination as provided by the Fifth Amendment of the United States Constitution and Art 1, Sec. 10 of the Wyoming Constitution and its interpretative case law and therefore deny the same.

24. As to paragraph No. 24 of the Complaint Defendants assert the privilege against self-incrimination as provided by the Fifth Amendment of the United States Constitution and Art 1, Sec. 10 of the Wyoming Constitution and its interpretative case law and therefore deny the same.

25. As to paragraph No. 25 of the Complaint Defendants assert the privilege against self-incrimination as provided by the Fifth Amendment of the United States Constitution and Art 1, Sec. 10 of the Wyoming Constitution and its interpretative case law and therefore deny the same. This Answer applies to all subparts of Paragraph No. 25 of the Complaint included 25a – 25d.

26. As to paragraph No. 26 of the Complaint Defendants assert the privilege against self-incrimination as provided by the Fifth Amendment of the United States Constitution and Art 1, Sec. 10 of the Wyoming Constitution and its interpretative case law and therefore deny the same.

27. As to paragraph No. 27 of the Complaint Defendants assert the privilege against self-incrimination as provided by the Fifth Amendment of the United States Constitution and Art 1, Sec. 10 of the Wyoming Constitution and its interpretative case law and therefore deny the same.

28. Defendants are without sufficient information to admit or deny the allegations in paragraph No. 28 of the Complaint and therefore deny the same.

29. As to paragraph No. 29 of the Complaint Defendants assert the privilege against self-incrimination as provided by the Fifth Amendment of the United States Constitution and Art 1, Sec. 10 of the Wyoming Constitution and its interpretative case law and therefore deny the same.

30. As to paragraph No. 30 of the Complaint Defendants assert the privilege against self-incrimination as provided by the Fifth Amendment of the United States Constitution and Art 1, Sec. 10 of the Wyoming Constitution and its interpretative case law and therefore deny the same.

31. As to paragraph No. 31 of the Complaint Defendants assert the privilege against self-incrimination as provided by the Fifth Amendment of the United States Constitution and Art 1, Sec. 10 of the Wyoming Constitution and its interpretative case law and therefore deny the same.

32. As to paragraph No. 32 of the Complaint Defendants assert the privilege against self-incrimination as provided by the Fifth Amendment of the United States Constitution and Art 1, Sec. 10 of the Wyoming Constitution and its interpretative case law and therefore deny the same.

33. As to paragraph No. 33 of the Complaint Defendants assert the privilege against self-incrimination as provided by the Fifth Amendment of the United States Constitution and Art 1, Sec. 10 of the Wyoming Constitution and its interpretative case law and therefore deny the same.

34. As to paragraph No. 34 of the Complaint Defendants assert the privilege against self-incrimination as provided by the Fifth Amendment of the United States Constitution and Art 1, Sec. 10 of the Wyoming Constitution and its interpretative case law and therefore deny the same.

35. As to paragraph No. 35 of the Complaint Defendants assert the privilege against self-incrimination as provided by the Fifth Amendment of the United States Constitution and Art 1, Sec. 10 of the Wyoming Constitution and its interpretative case law and therefore deny the same. This Answer applies to all subparts of Paragraph No. 35 of the Complaint included 35a – 35d.

36. As to paragraph No. 36 of the Complaint Defendants assert the privilege against self-incrimination as provided by the Fifth Amendment of the United States Constitution and Art 1, Sec. 10 of the Wyoming Constitution and its interpretative case law and therefore deny the same. This Answer applies to all subparts of Paragraph No. 36 of the Complaint included 36a – 36f.

37. As to paragraph No. 37 of the Complaint Defendants assert the privilege against self-incrimination as provided by the Fifth Amendment of the United States Constitution and Art 1, Sec. 10 of the Wyoming Constitution and its interpretative case law and therefore deny the same.

38. As to paragraph No. 38 of the Complaint Defendants assert the privilege against self-incrimination as provided by the Fifth Amendment of the United States Constitution and Art 1, Sec. 10 of the Wyoming Constitution and its interpretative case law and therefore deny the same. This Answer applies to all subparts of Paragraph No. 38 of

the Complaint included 38a – 38f.

39. As to paragraph No. 39 of the Complaint Defendants assert the privilege against self-incrimination as provided by the Fifth Amendment of the United States Constitution and Art 1, Sec. 10 of the Wyoming Constitution and its interpretative case law and therefore deny the same.

40. As to paragraph No. 40 of the Complaint Defendants assert the privilege against self-incrimination as provided by the Fifth Amendment of the United States Constitution and Art 1, Sec. 10 of the Wyoming Constitution and its interpretative case law and therefore deny the same.

41. As to paragraph No. 41 of the Complaint Defendants assert the privilege against self-incrimination as provided by the Fifth Amendment of the United States Constitution and Art 1, Sec. 10 of the Wyoming Constitution and its interpretative case law and therefore deny the same.

42. As to paragraph No. 42 of the Complaint Defendants assert the privilege against self-incrimination as provided by the Fifth Amendment of the United States Constitution and Art 1, Sec. 10 of the Wyoming Constitution and its interpretative case law and therefore deny the same.

43. As to paragraph No. 43 of the Complaint Defendants assert the privilege against self-incrimination as provided by the Fifth Amendment of the United States Constitution and Art 1, Sec. 10 of the Wyoming Constitution and its interpretative case law and therefore deny the same.

44. As to paragraph No. 44 of the Complaint Defendants assert the privilege

against self-incrimination as provided by the Fifth Amendment of the United States Constitution and Art 1, Sec. 10 of the Wyoming Constitution and its interpretative case law and therefore deny the same.

45. As to paragraph No. 45 of the Complaint Defendants assert the privilege against self-incrimination as provided by the Fifth Amendment of the United States Constitution and Art 1, Sec. 10 of the Wyoming Constitution and its interpretative case law and therefore deny the same.

46. As to paragraph No. 46 of the Complaint Defendants assert the privilege against self-incrimination as provided by the Fifth Amendment of the United States Constitution and Art 1, Sec. 10 of the Wyoming Constitution and its interpretative case law and therefore deny the same.

47. As to paragraph No. 47 of the Complaint Defendants assert the privilege against self-incrimination as provided by the Fifth Amendment of the United States Constitution and Art 1, Sec. 10 of the Wyoming Constitution and its interpretative case law and therefore deny the same.

48. As to paragraph No. 48 of the Complaint Defendants assert the privilege against self-incrimination as provided by the Fifth Amendment of the United States Constitution and Art 1, Sec. 10 of the Wyoming Constitution and its interpretative case law and therefore deny the same.

49. As to paragraph No. 49 of the Complaint Defendants assert the privilege against self-incrimination as provided by the Fifth Amendment of the United States Constitution and Art 1, Sec. 10 of the Wyoming Constitution and its interpretative case law

and therefore deny the same.

50. As to paragraph No. 50 of the Complaint Defendants assert the privilege against self-incrimination as provided by the Fifth Amendment of the United States Constitution and Art 1, Sec. 10 of the Wyoming Constitution and its interpretative case law and therefore deny the same.

51. As to paragraph No. 51 of the Complaint Defendants assert the privilege against self-incrimination as provided by the Fifth Amendment of the United States Constitution and Art 1, Sec. 10 of the Wyoming Constitution and its interpretative case law and therefore deny the same.

52. Defendants incorporate by reference their Answers to paragraph Nos. 1-51 to the Complaint herein.

53. As to paragraph No. 37 of the Complaint Defendants assert the privilege against self-incrimination as provided by the Fifth Amendment of the United States Constitution and Art 1, Sec. 10 of the Wyoming Constitution and its interpretative case law and therefore deny the same.

54. Defendants deny the allegations in paragraph No. 54 of the Complaint.

55. As to paragraph No. 55 of the Complaint Defendants assert the privilege against self-incrimination as provided by the Fifth Amendment of the United States Constitution and Art 1, Sec. 10 of the Wyoming Constitution and its interpretative case law and therefore deny the same.

56. As to paragraph No. 56 of the Complaint Defendants assert the privilege against self-incrimination as provided by the Fifth Amendment of the United States

Constitution and Art 1, Sec. 10 of the Wyoming Constitution and its interpretative case law and therefore deny the same.

57. As to paragraph No. 57 of the Complaint Defendants assert the privilege against self-incrimination as provided by the Fifth Amendment of the United States Constitution and Art 1, Sec. 10 of the Wyoming Constitution and its interpretative case law and therefore deny the same.

58. As to paragraph No. 58 of the Complaint Defendants assert the privilege against self-incrimination as provided by the Fifth Amendment of the United States Constitution and Art 1, Sec. 10 of the Wyoming Constitution and its interpretative case law and therefore deny the same.

59. As to paragraph No. 59 of the Complaint Defendants assert the privilege against self-incrimination as provided by the Fifth Amendment of the United States Constitution and Art 1, Sec. 10 of the Wyoming Constitution and its interpretative case law and therefore deny the same.

60. As to paragraph No. 60 of the Complaint Defendants assert the privilege against self-incrimination as provided by the Fifth Amendment of the United States Constitution and Art 1, Sec. 10 of the Wyoming Constitution and its interpretative case law and therefore deny the same.

61. As to paragraph No. 61 of the Complaint Defendants assert the privilege against self-incrimination as provided by the Fifth Amendment of the United States Constitution and Art 1, Sec. 10 of the Wyoming Constitution and its interpretative case law and therefore deny the same.

62. As to paragraph No. 62 of the Complaint Defendants assert the privilege against self-incrimination as provided by the Fifth Amendment of the United States Constitution and Art 1, Sec. 10 of the Wyoming Constitution and its interpretative case law and therefore deny the same.

63. As to paragraph No. 63 of the Complaint Defendants assert the privilege against self-incrimination as provided by the Fifth Amendment of the United States Constitution and Art 1, Sec. 10 of the Wyoming Constitution and its interpretative case law and therefore deny the same.

64. As to paragraph No. 64 of the Complaint Defendants assert the privilege against self-incrimination as provided by the Fifth Amendment of the United States Constitution and Art 1, Sec. 10 of the Wyoming Constitution and its interpretative case law and therefore deny the same.

65. Paragraph No. 65 of the Complaint is largely a request for relief to which Defendants have stipulated and which the Court has already entered an Order. (See Doc Nos. 22 and 23.)

66. Defendants incorporate by reference their Answers to paragraph Nos. 1-65 to the Complaint herein.

67. Defendants admit the allegations in paragraph No. 6 of the Complaint.

68. Paragraph No. 68 is a legal argument and conclusion regarding the sufficiency of “consideration”. Defendants admit R Squared wired the loan proceeds. As to remainder of paragraph No. 68 of the Complaint Defendants assert the privilege against self-incrimination as provided by the Fifth Amendment of the United States Constitution

and Art 1, Sec. 10 of the Wyoming Constitution and its interpretative case law and therefore deny the same.

69. The written promissory notes speak for itself and does not require either an admission or denial.

70. As to paragraph No. 70 of the Complaint Defendants assert the privilege against self-incrimination as provided by the Fifth Amendment of the United States Constitution and Art 1, Sec. 10 of the Wyoming Constitution and its interpretative case law and therefore deny the same.

71. The written promissory notes speak for itself and does not require either an admission or denial.

72. As to paragraph No. 72 of the Complaint Defendants assert the privilege against self-incrimination as provided by the Fifth Amendment of the United States Constitution and Art 1, Sec. 10 of the Wyoming Constitution and its interpretative case law and therefore deny the same.

73. As to paragraph No. 73 of the Complaint Defendants assert the privilege against self-incrimination as provided by the Fifth Amendment of the United States Constitution and Art 1, Sec. 10 of the Wyoming Constitution and its interpretative case law and therefore deny the same.

74. As to paragraph No. 74 of the Complaint Defendants assert the privilege against self-incrimination as provided by the Fifth Amendment of the United States Constitution and Art 1, Sec. 10 of the Wyoming Constitution and its interpretative case law and therefore deny the same.

75. As to paragraph No. 75 of the Complaint Defendants assert the privilege against self-incrimination as provided by the Fifth Amendment of the United States Constitution and Art 1, Sec. 10 of the Wyoming Constitution and its interpretative case law and therefore deny the same.

76. As to paragraph No. 76 of the Complaint Defendants assert the privilege against self-incrimination as provided by the Fifth Amendment of the United States Constitution and Art 1, Sec. 10 of the Wyoming Constitution and its interpretative case law and therefore deny the same.

77. As to paragraph No. 77 of the Complaint Defendants assert the privilege against self-incrimination as provided by the Fifth Amendment of the United States Constitution and Art 1, Sec. 10 of the Wyoming Constitution and its interpretative case law and therefore deny the same.

78. Defendants incorporate by reference their Answers to paragraph Nos. 1-77 to the Complaint herein.

79. Defendants admit that the Wyoming Supreme Court has recognized that piercing the corporate veil is an equitable doctrine and that the determination of whether the doctrine applies centers on whether there is an element of injustice, fundamental unfairness, or equity. As to the remainder of paragraph No. 79 of the Complaint Defendants assert the privilege against self-incrimination as provided by the Fifth Amendment of the United States Constitution and Art 1, Sec. 10 of the Wyoming Constitution and its interpretative case law and therefore deny the same.

80. Defendants deny the allegations in paragraph No. 80 of the Complaint.

81. As to paragraph No. 81 of the Complaint Defendants assert the privilege against self-incrimination as provided by the Fifth Amendment of the United States Constitution and Art 1, Sec. 10 of the Wyoming Constitution and its interpretative case law and therefore deny the same.

82. As to paragraph No. 82 of the Complaint Defendants assert the privilege against self-incrimination as provided by the Fifth Amendment of the United States Constitution and Art 1, Sec. 10 of the Wyoming Constitution and its interpretative case law and therefore deny the same.

83. As to paragraph No. 83 of the Complaint Defendants assert the privilege against self-incrimination as provided by the Fifth Amendment of the United States Constitution and Art 1, Sec. 10 of the Wyoming Constitution and its interpretative case law and therefore deny the same.

84. As to paragraph No. 84 of the Complaint Defendants assert the privilege against self-incrimination as provided by the Fifth Amendment of the United States Constitution and Art 1, Sec. 10 of the Wyoming Constitution and its interpretative case law and therefore deny the same.

85. As to paragraph No. 85 of the Complaint Defendants assert the privilege against self-incrimination as provided by the Fifth Amendment of the United States Constitution and Art 1, Sec. 10 of the Wyoming Constitution and its interpretative case law and therefore deny the same.

86. As to paragraph No. 86 of the Complaint Defendants assert the privilege against self-incrimination as provided by the Fifth Amendment of the United States

Constitution and Art 1, Sec. 10 of the Wyoming Constitution and its interpretative case law and therefore deny the same.

87. As to paragraph No. 87 of the Complaint Defendants assert the privilege against self-incrimination as provided by the Fifth Amendment of the United States Constitution and Art 1, Sec. 10 of the Wyoming Constitution and its interpretative case law and therefore deny the same.

88. As to paragraph No. 88 of the Complaint Defendants assert the privilege against self-incrimination as provided by the Fifth Amendment of the United States Constitution and Art 1, Sec. 10 of the Wyoming Constitution and its interpretative case law and therefore deny the same.

89. As to paragraph No. 89 of the Complaint Defendants assert the privilege against self-incrimination as provided by the Fifth Amendment of the United States Constitution and Art 1, Sec. 10 of the Wyoming Constitution and its interpretative case law and therefore deny the same.

90. As to paragraph No. 90 of the Complaint Defendants assert the privilege against self-incrimination as provided by the Fifth Amendment of the United States Constitution and Art 1, Sec. 10 of the Wyoming Constitution and its interpretative case law and therefore deny the same.

91. As to paragraph No. 91 of the Complaint Defendants assert the privilege against self-incrimination as provided by the Fifth Amendment of the United States Constitution and Art 1, Sec. 10 of the Wyoming Constitution and its interpretative case law and therefore deny the same.

92. As to paragraph No. 92 of the Complaint Defendants assert the privilege against self-incrimination as provided by the Fifth Amendment of the United States Constitution and Art 1, Sec. 10 of the Wyoming Constitution and its interpretative case law and therefore deny the same.

93. Defendants incorporate by reference their Answers to paragraph Nos. 1-92 to the Complaint herein.

94. As to paragraph No. 94 of the Complaint Defendants assert the privilege against self-incrimination as provided by the Fifth Amendment of the United States Constitution and Art 1, Sec. 10 of the Wyoming Constitution and its interpretative case law and therefore deny the same.

95. As to paragraph No. 95 of the Complaint Defendants assert the privilege against self-incrimination as provided by the Fifth Amendment of the United States Constitution and Art 1, Sec. 10 of the Wyoming Constitution and its interpretative case law and therefore deny the same.

96. As to paragraph No. 96 of the Complaint Defendants assert the privilege against self-incrimination as provided by the Fifth Amendment of the United States Constitution and Art 1, Sec. 10 of the Wyoming Constitution and its interpretative case law and therefore deny the same.

97. As to paragraph No. 97 of the Complaint Defendants assert the privilege against self-incrimination as provided by the Fifth Amendment of the United States Constitution and Art 1, Sec. 10 of the Wyoming Constitution and its interpretative case law and therefore deny the same.

98. As to paragraph No. 98 of the Complaint Defendants assert the privilege against self-incrimination as provided by the Fifth Amendment of the United States Constitution and Art 1, Sec. 10 of the Wyoming Constitution and its interpretative case law and therefore deny the same.

99. As to paragraph No. 99 of the Complaint Defendants assert the privilege against self-incrimination as provided by the Fifth Amendment of the United States Constitution and Art 1, Sec. 10 of the Wyoming Constitution and its interpretative case law and therefore deny the same.

100. As to paragraph No. 100 of the Complaint Defendants assert the privilege against self-incrimination as provided by the Fifth Amendment of the United States Constitution and Art 1, Sec. 10 of the Wyoming Constitution and its interpretative case law and therefore deny the same.

101. As to paragraph No. 101 of the Complaint Defendants assert the privilege against self-incrimination as provided by the Fifth Amendment of the United States Constitution and Art 1, Sec. 10 of the Wyoming Constitution and its interpretative case law and therefore deny the same.

102. As to paragraph No. 102 of the Complaint Defendants assert the privilege against self-incrimination as provided by the Fifth Amendment of the United States Constitution and Art 1, Sec. 10 of the Wyoming Constitution and its interpretative case law and therefore deny the same.

103. Defendants incorporate by reference their Answers to paragraph Nos. 1-102 to the Complaint herein.

104. Defendants incorporate by reference their Answers to paragraph Nos. 93-102 to the Complaint herein.

105. As to paragraph No. 105 of the Complaint Defendants assert the privilege against self-incrimination as provided by the Fifth Amendment of the United States Constitution and Art 1, Sec. 10 of the Wyoming Constitution and its interpretative case law and therefore deny the same.

106. As to paragraph No. 106 of the Complaint Defendants assert the privilege against self-incrimination as provided by the Fifth Amendment of the United States Constitution and Art 1, Sec. 10 of the Wyoming Constitution and its interpretative case law and therefore deny the same.

107. As to paragraph No. 107 of the Complaint Defendants assert the privilege against self-incrimination as provided by the Fifth Amendment of the United States Constitution and Art 1, Sec. 10 of the Wyoming Constitution and its interpretative case law and therefore deny the same.

108. As to paragraph No. 108 of the Complaint Defendants assert the privilege against self-incrimination as provided by the Fifth Amendment of the United States Constitution and Art 1, Sec. 10 of the Wyoming Constitution and its interpretative case law and therefore deny the same.

109. As to paragraph No. 109 of the Complaint Defendants assert the privilege against self-incrimination as provided by the Fifth Amendment of the United States Constitution and Art 1, Sec. 10 of the Wyoming Constitution and its interpretative case law and therefore deny the same.

110. Defendants incorporate by reference their Answers to paragraph Nos. 1-109 to the Complaint herein.

111. As to paragraph No. 111 of the Complaint Defendants assert the privilege against self-incrimination as provided by the Fifth Amendment of the United States Constitution and Art 1, Sec. 10 of the Wyoming Constitution and its interpretative case law and therefore deny the same.

112. As to paragraph No. 112 of the Complaint Defendants assert the privilege against self-incrimination as provided by the Fifth Amendment of the United States Constitution and Art 1, Sec. 10 of the Wyoming Constitution and its interpretative case law and therefore deny the same.

113. As to paragraph No. 113 of the Complaint Defendants assert the privilege against self-incrimination as provided by the Fifth Amendment of the United States Constitution and Art 1, Sec. 10 of the Wyoming Constitution and its interpretative case law and therefore deny the same.

114. As to paragraph No. 114 of the Complaint Defendants assert the privilege against self-incrimination as provided by the Fifth Amendment of the United States Constitution and Art 1, Sec. 10 of the Wyoming Constitution and its interpretative case law and therefore deny the same.

115. As to paragraph No. 115 of the Complaint Defendants assert the privilege against self-incrimination as provided by the Fifth Amendment of the United States Constitution and Art 1, Sec. 10 of the Wyoming Constitution and its interpretative case law and therefore deny the same.

116. As to paragraph No. 116 of the Complaint Defendants assert the privilege against self-incrimination as provided by the Fifth Amendment of the United States Constitution and Art 1, Sec. 10 of the Wyoming Constitution and its interpretative case law and therefore deny the same.

117. As to paragraph No. 117 of the Complaint Defendants assert the privilege against self-incrimination as provided by the Fifth Amendment of the United States Constitution and Art 1, Sec. 10 of the Wyoming Constitution and its interpretative case law and therefore deny the same.

118. As to paragraph No. 118 of the Complaint Defendants assert the privilege against self-incrimination as provided by the Fifth Amendment of the United States Constitution and Art 1, Sec. 10 of the Wyoming Constitution and its interpretative case law and therefore deny the same.

119. As to paragraph No. 119 of the Complaint Defendants assert the privilege against self-incrimination as provided by the Fifth Amendment of the United States Constitution and Art 1, Sec. 10 of the Wyoming Constitution and its interpretative case law and therefore deny the same.

120. Defendants incorporate by reference their Answers to paragraph Nos. 1-119 to the Complaint herein.

121. Paragraph 121 of the Complaint appears to be a statement of the law which neither requires a denial or admission.

122. Paragraph 122 of the Complaint appears to be a statement of the law which neither requires a denial or admission.

123. Paragraph 123 of the Complaint appears to be a statement of the law which neither requires a denial or admission.

124. As to paragraph No. 124 of the Complaint Defendants assert the privilege against self-incrimination as provided by the Fifth Amendment of the United States Constitution and Art 1, Sec. 10 of the Wyoming Constitution and its interpretative case law and therefore deny the same.

125. As to paragraph No. 125 of the Complaint Defendants assert the privilege against self-incrimination as provided by the Fifth Amendment of the United States Constitution and Art 1, Sec. 10 of the Wyoming Constitution and its interpretative case law and therefore deny the same.

126. As to paragraph No. 126 of the Complaint Defendants assert the privilege against self-incrimination as provided by the Fifth Amendment of the United States Constitution and Art 1, Sec. 10 of the Wyoming Constitution and its interpretative case law and therefore deny the same.

127. As to paragraph No. 127 of the Complaint Defendants assert the privilege against self-incrimination as provided by the Fifth Amendment of the United States Constitution and Art 1, Sec. 10 of the Wyoming Constitution and its interpretative case law and therefore deny the same.

128. As to paragraph No. 128 of the Complaint Defendants assert the privilege against self-incrimination as provided by the Fifth Amendment of the United States Constitution and Art 1, Sec. 10 of the Wyoming Constitution and its interpretative case law and therefore deny the same.

129. As to paragraph No. 129 of the Complaint Defendants assert the privilege against self-incrimination as provided by the Fifth Amendment of the United States Constitution and Art 1, Sec. 10 of the Wyoming Constitution and its interpretative case law and therefore deny the same.

130. Defendants incorporate by reference their Answers to paragraph Nos. 1-129 to the Complaint herein.

131. Paragraph 131 of the Complaint appears to be a statement of the law which neither requires a denial or admission.

132. Paragraph 132 of the Complaint appears to be a statement of the law which neither requires a denial or admission.

133. As to paragraph No. 133 of the Complaint Defendants assert the privilege against self-incrimination as provided by the Fifth Amendment of the United States Constitution and Art 1, Sec. 10 of the Wyoming Constitution and its interpretative case law and therefore deny the same.

134. As to paragraph No. 134 of the Complaint Defendants assert the privilege against self-incrimination as provided by the Fifth Amendment of the United States Constitution and Art 1, Sec. 10 of the Wyoming Constitution and its interpretative case law and therefore deny the same.

135. As to paragraph No. 135 of the Complaint Defendants assert the privilege against self-incrimination as provided by the Fifth Amendment of the United States Constitution and Art 1, Sec. 10 of the Wyoming Constitution and its interpretative case law and therefore deny the same.

136. As to paragraph No. 136 of the Complaint Defendants assert the privilege against self-incrimination as provided by the Fifth Amendment of the United States Constitution and Art 1, Sec. 10 of the Wyoming Constitution and its interpretative case law and therefore deny the same.

Defendants deny each and every allegation in the Complaint either not specifically denied herein or where the privilege against self-incrimination has not been asserted.

### **AFFIRMATIVE DEFENSES**

1. Defendants Complaint fails to assert claims upon which relief can be granted.
2. The doctrines of accord, satisfaction, release and/or payment are applicable to Plaintiff's causes of action in whole or in part.
3. The doctrines of laches, waiver and/or estoppel are applicable to Plaintiff's causes of action in whole or in part.
4. Plaintiff's claims fail for lack of consideration.
5. One or more of Plaintiff's claims are precluded by the doctrine of mootness.
6. Defendants reserve the right to assert such affirmative defenses and/or counterclaims as may be warranted during the course of the proceedings and as may be revealed during the discovery process.

WHEREFORE, Defendants, Paul D. McCown, and McCowen Enterprises, LLC, demand that Plaintiff take nothing by way of its *Complaint*, that they be dismissed with prejudice, that the Defendants be awarded their costs and expenses incurred in defending this suit, and for such other relief as the Court deems just and equitable.

DATED: this 16<sup>th</sup> day of August, 2021.

/s/ Jason M. Tangeman  
Jason M. Tangeman, WY 6-3082  
Nicholas & Tangeman, LLC  
170 N. Fifth St.; P.O. Box 928 Laramie,  
WY 82073  
(307) 742-7140  
[jtangeman@wyolegal.com](mailto:jtangeman@wyolegal.com)  
Attorneys for Defendants

**CERTIFICATE OF SERVICE**

I hereby certify that on August 16, 2021, I electronically filed the foregoing document with the Clerk of the Court using the ECF system, which will send notification of such filing to all attorneys of record in this matter registered with the ECF system.

/s/ Jason M. Tangeman